

1 BILL NO. B-80-07- 32

2 DECLARATORY RESOLUTION NO. B-Do Pass

3  
4 A DECLARATORY RESOLUTION designating  
5 an "Urban Development Area" under  
6 I.C. 6-1.1-12.1.

7 WHEREAS, a petition has been duly filed dated June 22,  
8 1980, for designation of the following described property as  
9 an "Urban Development Area" in accordance with Division 6,  
10 Article II, Chapter 2 of the Municipal Code of the City of  
11 Fort Wayne, Indiana of 1974 and I.C. 6-1.1-12.1, to-wit:

12 Lots Numbered one (1) through twelve  
13 (12) inclusive in Block 19, Ewing's  
14 Addition to the City of Fort Wayne,  
15 together with all vacated alleys  
16 adjacent to any of said lots and to-  
17 gether with vacated Webster Street  
18 between West Main and West Berry  
19 Streets.

20 located at and commonly known as:

21 300 West Main Street  
22 Fort Wayne, Indiana 46802

23 WHEREAS, it appears that said petition should be processed  
24 to final determination in accordance with the provisions of  
25 said Division 6.

26 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
27 THE CITY OF FORT WAYNE, INDIANA:

28 SECTION 1. That subject to therequirements of Section 2,  
29 below, the above described property is hereby designated and  
30 declared an "Urban Development Area" under I.C. 6-1.1-12.1.

31 SECTION 2. That the foregoing is subject to:

32 (a) An affirmative ("Do Pass") recommendation  
by the Fort Wayne Redevelopment Commission,  
after due hearing, analysis and study in ac-  
cordance with the provisions of Division 6,

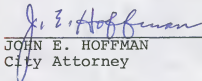
Article II, Chapter 2 of the Municipal Code  
of the City of Fort Wayne, Indiana of 1974.

(b) Final confirmation hereof by due passage  
upon the final vote hereon.

SECTION 3. That this Resolution shall be effective upon  
passage and approval by the Mayor.

  
COUNCILMAN

APPROVED AS TO FORM AND  
LEGALITY JULY 18, 1980.

  
JOHN E. HOFFMAN  
City Attorney

Read the first time in full and on motion by Eustach, seconded by Sten, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 7-22-80, the 7 day of July, 1980, at 7 o'clock M., E.S.T.

DATE: 7-22-80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by Sten, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>0</u>	<u>9</u>			
BURNS		<u>X</u>			
EISBART		<u>X</u>			
GiaQUINTA		<u>X</u>			
NUCKOLS		<u>X</u>			
SCHMIDT, D.		<u>X</u>			
SCHMIDT, V.		<u>X</u>			
SCHOMBURG		<u>X</u>			
STIER		<u>X</u>			
TALARICO		<u>X</u>			

DATE: 1-27-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. R-80-07-3D

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN

~~XXXXXXXX~~ A DECLARATORY RESOLUTION designating an "Urban  
Development Area" under I.C. 6-1.1-12.1

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE NOT PASS.

MARK E. GIAQUINTA, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

DONALD J. SCHMIDT

Samuel J. Talarico  
Vivian G. Schmidt  
James S. Stier  
Donald J. Schmidt

CONCURRED IN  
DATE 1/27/81 CHARLES W. WESTERMAN, CITY CLERK

LANDMAN & BEATTY

LAWYERS

400 UNION FEDERAL BUILDING  
45 NORTH PENNSYLVANIA STREET  
INDIANAPOLIS, INDIANA 46204  
(317) 632-3030

BERNARD LANDMAN, JR.  
JAMES W. BEATTY  
ROBERT H. GULLICK  
FREDRICK L. RICE

December 4, 1980

Mrs. Vivian Schmidt  
President  
Fort Wayne City Council  
c/o City Clerk  
City-County Building  
Fort Wayne, Indiana 46802

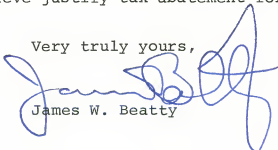
Re: The Edsall House - Real Estate Abatement  
Pursuant to PL 69 (I.C. 6-1.1-12.1-1 et seq.)

Dear Mrs. Schmidt:

As I indicated to you and the other members of the Committee on Tuesday, it will be impossible for me to be present for your meeting on December 9, 1980. Although my presence is not necessary, it may be useful to my client since there are some additional points which I would like to raise in support of the application for a tax abatement. I respectfully request, therefore, that the matter be continued to a mutually acceptable date in January of 1981.

I was not aware until Tuesday night of the existence of Resolution No. 78-5 (apparently a resolution of the Redevelopment Commission) which authorizes implementation of procedures with regard to Public Law 69. I have asked the Staff of the Commission to furnish me with a copy of that Resolution so that I can evaluate it. If the matter is continued to a later date, it is also my intention, subject to your approval of course, to discuss with your lawyer the legal points which we believe justify tax abatement for this project.

Very truly yours,



James W. Beatty

JWB:mr

cc: Mr. John Hoffman  
Councilman Benjamin A. Eisbart  
Mr. Gary E. Wasson



OFFICE OF THE CITY CLERK

## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Charles W. Westerman, Clerk -1- Room 122

July 7, 1980

Mr. John E. Hoffman  
Attorney At Law  
Hoffman, Moppert & Angel  
Suite 1212  
Anthony Wayne Bank Building  
Fort Wayne, Indiana 46802

Dear Mr. Hoffman:

Please find enclosed an Application for consideration for designation as an urban development area with attached receipt for the \$50.00 filing fee from Mr. James W. Beatty c/o The Gene B. Glick Company.

As per procedure established by Resolution No. R-80-79, I am requesting that your department prepare a Declaratory Resolution, which designates an "urban development area" (qualification for tax abatement), should be prepared in accordance with Resolution No. R-80-79 and Public Law No. 69, Acts of 1977, as amended by Public Law No. 56, Acts of 1979.

Sincerely yours,

Charles W. Westerman  
City Clerk

CWW/mb  
Enclosures

APPLICATION FOR CONSIDERATION FOR  
DESIGNATION AS AN URBAN DEVELOPMENT AREA

This Application is to be completed and signed by the owner of the property where property redevelopment or rehabilitation is to occur. The Common Council of the City of Fort Wayne reviews this Application for designation as an "Urban Development Area" in discharge of its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977 and amended in 1979. The Common Council makes no representation as to the effect of a designation granted by the Council for purposes of any further applications or approvals required under Public Law 69, and makes no representation to an applicant concerning the validity of any benefit conferred under Public Law 69.

1. Address of Property \_\_\_\_\_  
    300 W. Main Street  
    Fort Wayne, Indiana  
  
Street Boundaries (if applicable) \_\_\_\_\_  
    Wayne - Berry - Ewing  
    \_\_\_\_\_  
    \_\_\_\_\_
2. Legal Description of Property \_\_\_\_\_  
    Lots Numbered one (1) through twelve  
    (12) inclusive in Block 19, Ewing's  
    Addition to the City of Fort Wayne,  
    together with all vacated alleys  
    adjacent to any of said lots and together  
    with vacated Webster St. between West  
    Main and West Berry Streets.  
    \_\_\_\_\_  
    \_\_\_\_\_
3. Township Fort Wayne - Wayne
4. Taxing District 92-2604-0001
5. Current Zoning District \_\_\_\_\_
6. Variance Grant (if any) \_\_\_\_\_  
    None  
    \_\_\_\_\_  
    \_\_\_\_\_
7. Owner(s) \_\_\_\_\_  
    The Edsall House,  
    a limited partnership
8. Address of Owner(s) \_\_\_\_\_  
    c/o Gene B. Glick Company, Inc.  
    P. O. Box 40177  
    Indianapolis, Indiana 46240
9. Telephone Number \_\_\_\_\_  
    317/844-7741
10. Agent of Owner (if any) \_\_\_\_\_  
    James W. Beatty  
    \_\_\_\_\_  
    \_\_\_\_\_
11. Address \_\_\_\_\_  
    400 Union Federal Building  
    Indianapolis, Indiana 46204
12. Telephone Number \_\_\_\_\_  
    317/632-3030
13. Relationship of Agent to Owner Lawyer - Principal
14. Instrument Number of Commitments or Covenants Enforceable by City (if any) 77-025458
15. Current Use of Property  
    (a) How is property presently used? Low Income Housing for Elderly  
        \_\_\_\_\_  
        \_\_\_\_\_  
    (b) What structure(s) (if any) are on the property? 3 New Buildings  
        and Restored House  
        \_\_\_\_\_  
        \_\_\_\_\_  
    (c) What is the condition of this structure/these structures?  
        Good  
        \_\_\_\_\_  
        \_\_\_\_\_
16. Current Assessment on Land and Improvements  
    (a) What is the amount of latest assessment? \$1,008,600 (May 1, 1980)  
    (b) What is the amount of total property taxes paid the immediate past year? (indicate amount of land assessment and assessment on improvements) 1979 - \$373.32 1980 - May Installment \$20,404.9  
        based on partial assessment. Full assessment as of March 1, 1980:  
        Improvement \$831,500; Land \$177,100. Improvement assessment  
        amended to \$834,100 on June 24, 1980.

FILED  
JUL 07 1980

CHARLES W. WESTERMAN  
CITY CLERK

RECEIVED  
JUL 07 1980  
CHARLES W. WESTERMAN  
CITY CLERK

17. Description of Project 203 units of newly constructed housing for elderly and handicapped.
18. Development Time Frame
- (a) When will physical aspects of development or rehabilitation begin? 1978
- (b) When is completion expected? Complete
19. Cost of project (not including land cost) Approximately 3.5 million
20. Permanent Jobs Resulting from Completed Project
- (a) How many permanent employees will be employed at or in connection with the project after it is completed? Five
- (b) What kind of work will employees be engaged in? Management and maintenance
- (c) How many jobs new to Fort Wayne will be created as a result of project completion? Five
21. Additional municipal services necessitated by project (eg. enlargement of sewer, improvement of streets) None
22. Undesirability for Normal Development
- What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"? This property is a part of the Main Street renewal project.
23. Furtherance of City Development Objectives (circle letter and explain)
- (a) Will the project improve utilization of vacant under-utilized land? Yes
- (b) Will the project improve or replace a deteriorated or obsolete structure? Yes



CITY CLERK'S OFFICE  
Room 122 City-County Bldg.  
One East Main Street  
Fort Wayne, Indiana 46802

NO. 9

July 7 1950

RECEIVED FROM Yarnall Betty - City Clerk Co.

Twenty Dollars DOLLARS

for interest - Trust Fee

Account Total \$ 50.00

Amount Paid \$ 50.00

Balance Due \$ 0

City-County Clerk

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

(c) Will the project preserve a historically or architecturally significant structure? \_\_\_\_\_

Yes - Edsall House

(d) Will the project contribute to the conservation and/or stability of a neighborhood? Yes

(e) Will the project provide a more attractive appearance for the City (eg. restoration of a facade, landscaping, new design)? New buildings

24. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated?

Yes

X No

25. Financing on Project

What is the status of financing connected with the project?

Financing is by Government National Mortgage Association  
Tandem Mortgage and Section 8 of National Housing Act admin-  
istered by Department of Housing and Urban Development.

I hereby certify that the information and representations on this Application are true and complete.

THE EDSALL HOUSE, a limited partnership

by

Signature(s) of Owner(s)

June 22, 1980

Date

James W. Beatty

General Partner and Counsel

*Hold  
until 8 Dec*

BILL NO. R-80-07-32

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN  
ORDINANCE A DECLARATORY RESOLUTION designating an "Urban Development  
Area" under I.C. 6-1.1-12.1

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE                      PASS.

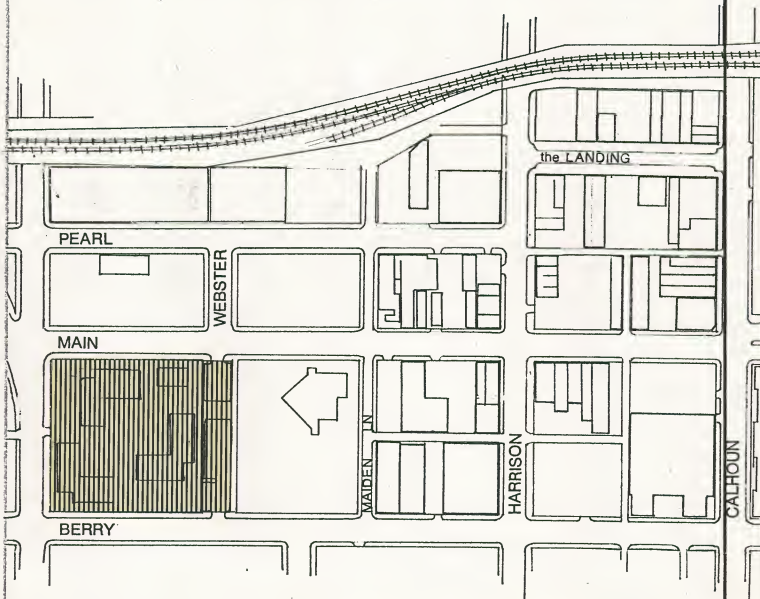
BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT



**FORT WAYNE  
REDEVELOPMENT  
COMMISSION**



**TITLE**

**Tax Abatement**

**PROJECT**

**300 West Main Street**

**DATE**

**Sept. 1980**

**SCALE**

**FORT WAYNE  
REDEVELOPMENT  
COMMISSION**

DATE:  
TO:  
  
FROM:  
SUBJECT:

October 29, 1980  
Councilman Benjamin A. Eisbart, Chairman,  
Council Committee on Regulations  
Gary E. Wasson, Acting Executive Director  
City Council Bill No. R-80-07-32  
Tax Abatement - 300 West Main Street

Background

Q-80-07-32

On July 22, 1980 Declaratory Resolution No. R-80-07-32 was introduced in City Council requesting designation of the property located at 300 West Main Street as an "urban development area" for purposes of tax abatement. The Resolution was referred to the Regulations Committee. In accordance with Resolution No. R-80-79, the Declaratory Resolution was then referred to the Redevelopment Commission for public hearing.

Action

The Fort Wayne Redevelopment Commission conducted the Public Hearing on October 20, 1980. Two Commission members spoke in opposition to the abatement request.

Recommendation

Following the public hearing, the Redevelopment Commission, at their Regular Meeting on October 20, 1980 did not adopt the attached Resolution No. 80-68, and recommended to the Common Council a "Do Not Pass" to your Declaratory Resolution designating:

Lots numbered one (1) through twelve (12) inclusive in Block 19, Ewing's Addition to the City of Fort Wayne, together with all vacated alleys adjacent to any of said lots and together with vacated Webster Street between West Main and West Berry Streets, located at and commonly known as:

300 West Main Street  
Fort Wayne, Indiana 46802

as an "urban development area" for purposes of I.C. 6-1.1-12.1, as enacted by the General Assembly of the State of Indiana.

Rationale

The Redevelopment Commission staff received the aforementioned Application and found that:

The Edsall House, a limited partnership completed three low-income apartment dwellings for the elderly in 1979. Five new jobs were created as a result of the project completion. The cost of the project was \$1,008,600.

Although this proposal meets all of the objectives of the Redevelopment Commission on tax abatement as stated in Resolution No. 78-5 authorizing implementation of procedures with regard to Public Law 69, and is a redevelopment project, it is the opinion of the Commission that the property at 300 West Main does not qualify for tax abatement. This is in view of the fact that the purpose of the tax abatement law is to serve as an incentive to new development. The Edsall House partnership filed for tax abatement after they had received their final building permit and construction on their project was completed. Therefore, the Commission is recommending a "Do Not Pass".

If you have any questions, please call this office.

GEW/jes

Attachment

A handwritten signature in dark ink, appearing to read "Charles E. Wilson", with a long horizontal flourish extending to the right.

4914

DIGEST SHEET

TITLE OF ORDINANCE: Declaratory Resolution 9-80-07-32

DEPARTMENT REQUESTING ORDINANCE: City Clerk's Office

SYNOPSIS OF ORDINANCE: A Declaratory Resolution designating  
an "Urban Development Area" under I.C. 6-1.1-12.1.

EFFECT OF PASSAGE: Will permit the construction of 203 units of  
housing for the elderly and handicapped.

EFFECT OF NON-PASSAGE: Construction will be halted thereby non-construction  
of facilities.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): Reduction in real  
estate taxes on improvement on reducing percentage over ten years per  
I.C. 6-1.1-12.1-4.

ASSIGNED TO COMMITTEE: Regulations